

Business and Economic Development

PUBLIC 479 An Act to Allow Pledging of Medical Education Loans to Secure LD 1877 **Bonds to Finance Educational Loans**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON LEDWIN	OTP	

Public Law 2001, chapter 479 allows the Finance Authority of Maine to pledge the existing Health Professions Loan Program revolving loan fund, including the revenue stream, when borrowing funds to be applied to the loan fund. By doing this, the law provides greater access to lower cost financing for Maine students attending medical schools. The law also allows the Finance Authority of Maine to purchase loans as necessary to comply with the United States Internal Revenue Code requirement that the proceeds of tax-exempt bonds issued for the funding of loans for higher education be disbursed within 3 years of issuance.

PUBLIC 491 An Act to Clarify the Method of Sale for Heating Oil and Retail LD 1948 **Motor Fuels**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON SAWYER	OTP-AM	H-777

Public Law 2001, chapter 491 establishes methods of sales of commodities that require labeling and the publishing of prices that will provide adequate information for consumers to make value price comparisons among companies selling heating oil or retail motor fuels using temperature-compensating technology and those using a traditional 231-cubic-inch-per-gallon measurement. The law also allows a seller of commodities in liquid form to obtain approval from the State Sealer for regional use of temperature compensators in lieu of equipping the seller's entire fleet of vehicles with temperature compensators.

PUBLIC 492 An Act to Increase the Licensing Fee Caps of the Board of LD 2017 **Osteopathic Licensure**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON	OTP-AM MAJ ONTP MIN	H-779

Public Law 2001, chapter 492 increases the fee caps for the Board of Osteopathic Licensure and provides the board with the authority to adopt a renewal schedule by rule.

PUBLIC 505 An Act Concerning the State Board of Funeral Service LD 1935

Business and Economic Development

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO BROMLEY	OTP-AM	H-788

Public Law 2001, chapter 505 removes the requirement that State Board of Funeral Services conduct inspections of funeral establishments and practitioners of funeral services every 3 years and replaces it with language that gives the board discretion to conduct inspections as needed. It also provides the board with the authority to review financial records to determine compliance with the laws and rules applicable to prearranged funeral services or plans.

PUBLIC 541 An Act to Provide Enhancements to the Small Enterprise Growth Program LD 1868

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON SHOREY	OTP-AM	H-778

Public Law 2001, chapter 541 allows the Small Enterprise Growth Program Board the discretion to make subsequent investments in companies that have benefited from an initial investment by the board providing those companies have grown since the board's initial investment and evidence a likelihood for continued high growth. The law maintains the current maximum initial disbursement that the board may make to a company at \$500,000, but allows a subsequent disbursement to equal up to 10% of the capitalization of the fund from appropriations, returns on successful investments and accrued interest.

PUBLIC 542 An Act Regarding Certain Educational Requirements for Licensed Social Workers LD 1911

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT	OTP-AM MAJ OTP MIN	S-435

Public Law 2001, chapter 542 modifies Public Law 2001, chapter 316, which created the position of licensed bachelor social worker and established standards and educational requirements for that position, by extending the deadline for when the new educational requirements become effective to September 30, 2003.

PUBLIC 562 An Act to Clarify the Application of the Freedom of Access Laws to Certain Proceedings and Records of the Maine Technology Institute LD 1914

Business and Economic Development

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY BRYANT	OTP-AM	H-915 RICHARDSON S-452

Public Law 2001, chapter 562 declares that the proceedings and records of the Maine Technology Institute are subject to the freedom of access laws and specifies which records and documents are exempt from the provisions of Maine Revised Statutes, Title 1, chapter 13 and are thus confidential. Generally, the exemptions relate to documents that contain proprietary information and trade secrets the disclosure of which could be competitively harmful to a business that is an applicant for financial support or a recipient of financial support from the institute. The law also specifies which institute information is available to the public on request.

PUBLIC 568 An Act to Create the Washington County Development Authority LD 1672

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY GOODWIN	OTP-AM	H-967 RICHARDSON S-468

Public Law 2001, chapter 568 creates the Washington County Development Authority for the purposes of accepting from the Federal Government and disposing of the real or personal property located within the geographical boundaries of the naval communications unit in the Town of Cutler or any other decommissioned federal military facility located in Washington County. The law establishes the authority as a public municipal corporation, creates a board of trustees and empowers the authority to employ technical experts and agents and to lease, sell or transfer accepted federal property or interests in accepted property to eligible entities. The law authorizes the authority to apply for and accept grants to support the activities of the authority. It also requires the authority to submit an annual report.

PUBLIC 573 An Act to Strengthen the Laws Governing Inspections of Boilers, LD 2056 Pressure Vessels, Elevators and Tramways

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON SHOREY	OTP-AM	H-1010

Public Law 2001, chapter 573 does the following regarding boiler and pressure vessels:

1. Provides the chief inspector with the authority to grant variances and to take a boiler or pressure vessel out of service if the owner has failed to have it inspected in a timely fashion or has failed to make required repairs;
2. Clarifies that it is the owner's responsibility to have a boiler or pressure vessel inspected in a timely manner and authorizes the Director of Licensing and Registration within the Department of Professional and Financial Regulation to establish a late inspection fee or a late certificate fee regarding boiler and pressure vessel inspections, not to exceed \$250; and

Business and Economic Development

3. Clarifies that an insurance company inspector may inspect a boiler or pressure vessel not insured by that company if it is in connection with an application for insurance or when a new unit is installed at an insured location.

Public Law 2001, chapter 573 does the following regarding elevators and tramways:

1. Provides the chief inspector with the ability to take an elevator out of service if the owner has failed to have the elevator inspected in a timely fashion or has failed to make required repairs;
2. Clarifies the duties and responsibilities of elevator and tramway owners, including the responsibility to obtain an inspection certificate, have the elevator inspected on an annual basis, notify the Board of Elevator and Tramway Safety when required repairs have been made, notify the Board of Elevator and Tramway Safety when ownership of a unit changes and notify the board when a unit is removed or no longer in use;
3. Provides the chief inspector with the authority to grant variances and clarifies the board's ability to fine an owner or operator up to \$3,000 per violation for failure to comply with applicable statutes;
4. Requires the owner or lessee to report to the chief inspector any elevator or tramway accidents that result from equipment failure, result in significant injury to a person or result in substantial damage to equipment and when such an accident occurs, the inspection certificate for the elevator or tramway involved may be summarily revoked;
5. Changes the terms of licenses issued by the board from a 3-year term to a one-year term and provides the board with the authority to adopt standards through rulemaking for licensure, renewal and continuing education of elevator and lift mechanics;
6. Changes the license name of licensed elevator inspectors to differentiate private inspectors from state-employed inspectors and requires elevator contractors to register with the board;
7. Provides that a person or company that is licensed as a private elevator and lift inspector who services an elevator or lift equipment, may not inspect that equipment within 12 months of servicing the same equipment; and
8. Creates the Class E crime of criminal operation of an elevator or tramway.

**PUBLIC 599 An Act to Amend the Laws of the Board of Barbering and
Cosmetology**

LD 1476

Sponsor(s)
BLISS
PENDLETON

Committee Report
OTP-AM

Amendments Adopted
H-932

Business and Economic Development

Public Law 2001, chapter 599 establishes a continuing education requirement for people engaged in the practice of cosmetology, manicuring, aesthetics and barbering and sets criteria for the applicants, the continuing education courses and the entities that provide the courses.

Committee Amendment "A" (H-827) Public Law 2001, chapter 599 changes the composition of the Board of Barbering and Cosmetology by reducing the number of barber and cosmetologist members and by adding a manicurist and an aesthetician. It also repeals the requirement that the board perform annual inspections of each licensed establishment and replaces it with random inspections of licensed establishments and booths.

PUBLIC 611 An Act Concerning the Disposal and Storage of Cremains LD 2089

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMOINE	OTP-AM	H-908

Public Law 2001, chapter 611 enables a funeral director or practitioner of funeral services to dispose of cremains still in the possession of the director or practitioner providing 2 conditions have been met: First, the cremains have not been claimed for a period of at least 4 years from the time of cremation and second, that the funeral director or practitioner of funeral services has provided a 60-day notice by certified mail to the person who authorized the cremation. Under the law, disposal of the cremains must be done in accordance with Maine Revised Statutes, Title 13, section 1032.

PUBLIC 616 An Act to Amend the Laws Governing the Unlawful Sale of LD 2192 Personal Sports Mobiles and the Registration of New Snowmobiles

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	H-1012 RICHARDSON
	OTP-AM MIN	

Public Law 2001, chapter 616 makes a number of changes to the laws governing the unlawful sale of new personal sports mobiles. Among other things, it amends the definition of "new personal sports mobile" to include those new personal sports mobiles not previously registered in this State or any other state or for which sales tax has not been paid in this State or any other state. The law also requires that a personal sports mobile dealer hold a valid franchise from a manufacturer to sell a new personal sports mobile. The bill also makes it a Class E crime for a person to unlawfully sell a new personal sports mobile. The law also authorizes any law enforcement officer to enforce the unlawful sales provision.

PUBLIC 633 An Act to Allow Mechanics Licensed by the Manufactured Housing Board to Install and Maintain Oil Tanks LD 1888

Business and Economic Development

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENNETT	ONTP MAJ OTP MIN	H-1005 RICHARDSON

Public Law 2001, chapter 633 does the following:

1. It creates a limited license for the manufactured housing mechanics that will give them a limited license to install outside heating oil tanks at certain manufactured housing units;
2. It limits the fee that can be charged by this limited license to \$50 biennially;
3. It requires that the manufactured housing mechanic have at least 4 hours of training from an approved course in the proper installation of outside home heating oil tanks to be issued a limited license; and
4. It changes the Oil and Solid Fuel Board membership by adding a 7th member to the board and gives service manager associations from the southern and northern parts of the State the ability to recommend board members to the Governor.

PUBLIC 639	An Act to Increase the Cap on Funds Available through the Regional Economic Development Revolving Loan Program	LD 2203
-------------------	---	----------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>

Public Law 2001, chapter 639 increases the amount a corporation may receive from the Regional Economic Development Revolving Loan Program Fund from \$1,250,000 to \$2,500,000 and makes more money available to corporations to use for reasonable administrative expenses by increasing the commitment fee from 1% to 2% and increasing the interest earnings cap from 5% to 7%.

PUBLIC 661	An Act to Implement the Recommendations of the Returnable Container Handling and Collection Study	LD 2184
-------------------	--	----------------

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		S-539 GOLDTHWAIT

Public Law 2001, chapter 661 implements the recommendations of the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers created pursuant to Joint Order 2001, H.P. 1389. Among other things, the law requires the label of each type of beverage subject to the returnable container deposit law to be registered with the Department of Agriculture, Food and Rural Resources, requires the department to maintain a register of current beverage container labels and to make that information available to redemption centers. The law also requires a license from the department to initiate deposits, operate a redemption center or act as a 3rd-party collection agent under

Business and Economic Development

the law. It also establishes a dedicated fund to pay the costs of administration and enforcement of the law by the department with the fund consisting of licensing and registration fees charged by the department. Finally, the law reestablishes the Committee to Study Reimbursement Rates for Maine's Bottle Redemption Businesses and Other Issues Related to the Handling and Collection of Returnable Containers to examine ways to improve the efficiency of the law through redesign of the bottle redemption system, establishment of cooperative agreements, introduction of technological improvements or other methods. It also adds 2 additional members to the committee.

PUBLIC 680 An Act to Enhance Economic Development Capacity
EMERGENCY

LD 1144

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH SAXL	OTP-AM	S-517 S-621 GOLDTHWAIT

Public Law 2001, chapter 680 provides an annual General Fund appropriations totaling \$4,571,000 for the Department of Economic and Community Development and provides \$1,200,000 in regional development block grants and \$200,000 to secure federal planning grants to assist communities suffering from the loss of major employers. It also provides \$500,000 for business attraction and expansion marketing efforts and \$1,000,000 to recapitalize the Maine Microenterprise Initiative. Public Law 2001, chapter 680 also provides \$200,000 over the biennium to recapitalize the fund that provides grants to avoid or alleviate the impact caused when a community loses a mature or dominant industry and provides one-time funds for the construction of the River Valley Technical Center incubator facility and matching funds for the Schoodic education and research center. It also appropriates \$35,000 in one-time funds to assist the Maine Film Office to upgrade digital technology and \$100,000 for the Maine Products Marketing Program. In addition, this Public Law appropriates \$5,000 and allocates another \$5,000 for the Community Forestry Fund, \$75,000 for the Forum Francophone, and \$10,000 to the Town of Raymond for a Community Gateways project and \$211,674 for the New Century Community Program. Finally, this Public Law allows funds in the Jobs Retention Program that become available as a result of a revocation of a certificate of approval for a certified retained business under this program to be used for grants to municipalities to retain mature or dominant employers.

PUBLIC 703 An Act to Create the Maine Rural Development Authority

LD 2212

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		H-1086 RICHARDSON S-559 SHOREY

Public Law 2001, chapter 703 establishes the Maine Rural Development Authority as a quasi-governmental agency with the purpose of providing loans to communities for the construction of commercial facilities and leading the development or redevelopment of commercial facilities in areas where economic need has not been met by private investment. The law requires the authority to assume the administration of the community industrial building program that has been administered by the Department of Economic and Community Development and the authority's operations are dependent upon funding, which is proposed in a bond issue to be submitted to the voters in November 2002. The Department of Economic and Community Development is responsible for the

Business and Economic Development

expenses necessary to establish the Maine Rural Development Authority, but the authority's ongoing operations and expenses are subject to other funding.

P & S 53 **An Act to Provide for the 2002 and 2003 Allocations of the State** **LD 2091**
EMERGENCY **Ceiling on Private Activity Bonds**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY	OTP	
RICHARDSON		

Private and Special Law 2001, chapter 53 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2002 and 2003. Under federal law, a maximum of \$225,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2002 and a maximum of \$225,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2003. This law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

RESOLVE 100 **Resolve, Regarding Legislative Review of Chapter 50: Variance** **LD 2125**
EMERGENCY **From Educational Qualifications for Issuance of an Interim**
 Forester License, a Major Substantive Rule of the Department of
 Professional and Financial Regulation, Office of Licensing and
 Regulation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

Resolve 2001, chapter 100 provides for legislative review of Chapter 50: Variance From Educational Qualifications for Issuance of an Interim Forester License, a major substantive rule of the Department of Professional and Financial Regulation. The provisionally adopted rules reviewed under the resolve were adopted pursuant to Public Laws of 2001, chapter 261. The proposed rules detailed the work experience and supplemental forestry education that an applicant must demonstrate in order to qualify for a variance.

RESOLVE 102 **Resolve, Regarding Legislative Review of Chapter 90: Registration** **LD 2139**
EMERGENCY **of Foresters for Supervision of Unlicensed Personnel, a Major**
 Substantive Rule of the Department of Professional and Financial
 Regulation, Office of Licensing and Regulation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

Resolve 2001, chapter 102 provides for legislative review of Chapter 90: Registration of Foresters for Supervision of Unlicensed Personnel, a major substantive rule of the Department of Professional and Financial

Business and Economic Development

Regulation, Office of Licensing and Regulations. The provisionally adopted rules reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 261. The rules implement a registration system that not only requires the forester to register with the board to supervise the unlicensed person, but also requires the forester to have a signed, written agreement with the unlicensed person, to accept responsibility for the activities of the unlicensed person related to the practice of forestry that are related to the person's employment or the agreement, and to register annually with the board at the time of license application or renewal.

RESOLVE 106 Resolve, Regarding Legislative Review of Chapter 220: LD 2144
Methodology for Identification of Regional Service Centers, a
Major Substantive Rule of the Executive Department, State
Planning Office

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP MAJ	S-515 SHOREY
	ONTP MIN	

Resolve 2001, chapter 106 provides for legislative review of Chapter 220: Methodology for Identification of Regional Service Centers, a major substantive rule of the Executive Department, State Planning Office. The provisionally adopted rules reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 90, section 1. The rules adopted establish a methodology for identifying municipalities, and, under certain circumstances, parts of municipalities, that serve as regional service centers and are identified as service center communities.

RESOLVE 124 Resolve, to Study the Impact of a Maine-based Casino on the LD 2200
Economy, Transportation Infrastructure, State Revenues and the
Job Market

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR	OTP-AM MAJ	H-1035
SHOREY	ONTP MIN	S-605 GOLDTHWAIT

Resolve 2001, chapter 124 establishes the Task Force to Study the Impact of a Maine-based Casino. Membership of the 18-member task force is comprised of Legislators, including a tribal representative, the Attorney General, the Chief of State Police, the Commissioner of Transportation, a member of the Maine Sheriffs' Association, members of the public and others. The task force is charged with estimating the impact of a casino on municipal services, social services, affordable housing, business activity and criminal activity within a 25-mile radius of a proposed casino and the impact on other forms of gambling that are legally conducted in the State, as well as the impact of a casino upon employment, the transportation infrastructure the State's economy and the State's revenues. The task force is limited to 4 meetings, one of which may be a public hearing in the Augusta area. It requires the task force to submit a report to the joint standing committees of the Legislature having jurisdiction over business and economic development matters and gambling matters by November 6, 2002.